



ग्राहक सेवा सुरक्षा संतोष

# Keemat

## The Consumer's Voice – Value for Price, People and the Environment

March – April, 2026

**"59 Years in the Service of Consumers"**

Vol 55 – No. 2



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## Consumer Guidance Society Of India (CGSI)

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## Graahak Nyaya Abhiyan – Consumer Guidance Camp (Photos See Cover page)

Agnel School of Law, in collaboration with the **Consumer Guidance Society of India (CGSI)**, successfully organised a **Consumer Guidance Camp** as part of its commitment to promote consumer awareness and access to justice. The camp witnessed an encouraging response, registering **59** consumer complaints, reflecting the pressing need for awareness and legal guidance in consumer-related matters. **CGSI Secretary Dr. Manohar S. Kamath, Chairperson Dr. Sitaram Dixit, and Shri. Nandakumar Menon** guided the consumers on their grievances and complaints with **Adv. Santosh Shukla**, playing a significant role in strengthening the collaboration between the institutions, CGSI and Agnel School of Law.

**Hon'ble Justice S. P. Tavade, President of the State Consumer Disputes Redressal Commission**, graced the event as **Chief Guest**, delivering an insightful address on the concept of

consumers, consumer rights and responsibility of citizens in seeking lawful remedies.

Adding an engaging dimension to the programme, the **Dr. M. S. Kamath** conducted interactive activities and short games with students to enhance their understanding of consumer protection in a practical and relatable manner. The Legal Aid Team of Agnel School of Law actively assisted consumers in reaching the camp and ensured that genuine grievances were properly guided. The initiative also proved to be a valuable learning experience for students.

Sharing his experience, **Altamash Shaikh**, Legal Aid Secretary, stated, *"I got to know in-depth about consumer rights and learned many practical aspects that will help me in my future professional work"*. The camp stood as a successful example of academic institutions and consumer bodies working together to promote legal awareness and public welfare.



Consumer awareness Program at G. G. College, Koliwada Vasai (W), Vasai – Virar, Maharashtra - 401201



Meeting with Officials of The Department of Legal Meteorology – Govt. of Maharashtra at CGSI office.



# Budget '26 – Maximum Finance, Minimum Fuss

Editor: Jamna Vardachary

The 2026 Budget is a little like the Finance Minister herself – sensible, practical, and understated. Rather than shiny new programs or big vote-catching schemes, it continues along previous lines, with minor improvements.

Economists generally approve of the budget. The opposition does not. The public is undecided; we would have liked more benefits, but there is nothing specific to complain about. So, is Modinomics working?

In the past year or two, there have been several major policy changes. Labor laws were reformed, income tax thresholds were raised, GST rates were rationalized. There was no need (and no funds) for big-bang announcements. Instead, the government will continue doing what it has done successfully – improve infrastructure, reduce debt, and simplify government regulations. There were other announcements as well (youth, Viksit Bharat etc.), but these are the three primary areas.

## Small change, big difference

What often goes unnoticed are the small changes. In the last few years, the government has eliminated hundreds of rules. Some were no longer necessary, others were troublesome to follow, and some rules are being replaced by trust-based systems.

Take a hypothetical example. I need documentation (e.g. affidavit or bank certificate) for transactions above a certain threshold, say Rs 1 lakh. Raising this threshold to 5 lakhs will not make headlines, but it will make life a little easier for everyone.

Rules are being simplified in multiple sectors: retail trade, imports and exports, construction, banking, taxes... The process is continuous and ongoing. In March (the budget was 1<sup>st</sup> February), the government introduced liberalized rules for courier companies serving exporters (previously, couriers could carry only very low-value shipments), quicker licensing for new businesses, and faster approval for construction projects.

## Good but not good enough?

The opposition has concerns about the Budget; are these concerns justified? One complaint is that schemes exist only on paper. For example, the Budget promises to reduce prices of cancer drugs; but a cancer program launched in the 2025 budget

is languishing. The goal was to establish cancer day care centers in every district hospital in India; 300 centers in the first year, increasing to 450 in Year 2 and 750 in Year 3. One year later, only 102 centers are operational. Some states (including Maharashtra) do not have a single functioning center.



The Budget promises to “increase the employability quotient of youth” by strengthening education, building university townships near industrial hubs, and training 1.5 lakh youth to work as caregivers to super-senior citizens. Remember the PM Internship Scheme announced in the 2024 budget? The plan sounded good. Companies would offer 1-year internships to unemployed youth: Rs 5000 monthly stipend plus Rs 6000 one-time grant to 1 crore youth in 5 years. The reality was different. Companies made 1.65 lakh offers, only 33,000 youth accepted, of whom 6,000 dropped out.

Another issue is under-spending. Of the 50 biggest schemes in the previous budget, 47 are struggling to absorb their allocated funds. In the first 9 months of the financial year, these schemes were able to spend only 40% of their allocations. By financial year-end, expenditures will still be less than 75%. Some programs used almost no money, i.e. implementation was negligible.

For example, the Jal Jeevan Mission (drinking water for rural areas) spent only 31 crores out of its 67,000-crore budget. PM Shri (Schools for Rising India) spent less than 500 crores out of 7,500 crores. Anusuchit Jaati Abhyuday Yojana (development of Dalit communities) spent 40 crores out of 2,000 crores.

You could argue that under-spending is better than over-spending; perhaps administrators are being careful. Or perhaps the fault lies with state governments, which are responsible for implementation. But such a large gap between planned and actual expenditure suggests something is very wrong.

## Too much free-dom

While the Central budget hogs the headlines, there is very little media discussion about State budgets. The Centre is making progress on reducing deficits and improving administration; most States are not. Corruption and inefficiency have not reduced; they may be increasing.

An even bigger problem is the freebie culture (the Centre distributes freebies too, but not at the same scale relative to budget). Freebies win you elections, so politicians from all parties are becoming more generous and more creative – free electricity, free transport, free saris, cash for daughter’s marriage.

Subsidies are necessary; they can accelerate development and reduce poverty and inequality, provided they are data-driven, well targeted, and financially sustainable. Many state subsidies fail on all three counts. Rajasthan, Madhya Pradesh, Karnataka, Tamil Nadu and Punjab spend 10-15% of their state budget on subsidies; Chhattisgarh spends more than 30%. And it is not just subsidies but the overall quality of expenditure. No state can hope to develop if revenue expenditure (subsidies, salaries, pensions) grows faster than capital expenditure (infrastructure).

In UP, total state expenditure in FY27 will be 27% higher than FY26, the highest year-on-year

increase in a decade. Revenue expenditure will increase by 31%, capital expenditure by only 11%. In Tamil Nadu, subsidies have increased from Rs 38,000 crore in FY24 to 60,000 crores in FY26, and will increase further in FY27. Nearly 14% of the state budget goes to subsidies. Tamil Nadu is among the top states in terms of economic development and especially manufacturing, but this kind of spending is hard to sustain.

## Planning for 2047

Overall, the economy is doing well. GDP growth is healthy, inflation is low, central deficits and national debt are being reduced as planned, the financial system is strong and well managed. But we have a long way to go.

Despite all the talk of world’s fourth largest economy, India remains a poor country. If we look at per capita GDP, we are not 4<sup>th</sup> but 140<sup>th</sup>. Even if we adjust for cost of living (per capita GDP at purchasing power parity), more than 100 countries are ahead of us, including most of Asia.

Any budget must be political; there are elections, after all. Given this reality, the government has done all it could – and more than most people expected – to continue the path of fiscal prudence.

If we keep making progress, even slowly, Viksit Bharat could become a reality, not just a slogan.

### FORM IV (See Rule 8)

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I Ms. Jamna Vardhachary, hereby declare that the particulars given above are true to the best of my knowledge and belief.

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**Signed/-**

**Ms. Jamna Vardhachary – Publisher, Printer, Editor**

# Better To Abolish RERA, It Only Helps Builders: Supreme Court

Debayan Roy (Courtesy: Bar & Bench)

The Supreme Court on Thursday took a critical view of the functioning of real estate regulatory authorities, observing that they should be abolished as they only aid builders (State of Himachal Pradesh vs Naresh Sharma).

A Bench of Chief Justice of India (CJI) Surya Kant and Justice Joymalya Bagchi remarked that States should reflect on the purpose behind introduction of Real Estate Regulatory Authority (RERA).

“All States should now think of the people for whom the institution of RERA was created. Except facilitating builders in default, it is not doing anything else. Better to just abolish this institution,” CJI Kant said.

The Court saw while hearing an appeal challenging Himachal Pradesh High Court’s decision to stay a state government notification for shifting the State RERA office to Dharamshala.

In the order passed last year, the High Court had noted the decision to shift RERA had been taken “without even identifying alternative office place.”

“We are of the considered opinion that the Notification dated 13.06.2025 shall remain stayed till further order and the subsequent order that the 18 outsourced employees further on their application have been directed to be adjusted in other Boards and Corporations since the same would render the functioning of RERA defunct,” the High Court had said.

Today, the top court interfered with the High Court order and permitted the State to shift the RERA office to Dharamshala from Shimla. It also ordered shifting of the appellate tribunal.

“With a view to ensure that persons affected by RERA orders are not inconvenienced, the principal appellate is also moved to Dharamshala,” the Bench directed.

Earlier in a similar case, the Supreme Court had set aside the High Court stay to shift the headquarters of the Himachal Pradesh Commission for Backward Classes from Shimla to Dharamshala.

# Bank Mis-selling: RBI Draft Rules Bar Incentives, Forced Bundling and Dark Patterns by Banks

Courtesy: Moneylife Digital Team

In a significant move aimed at cleaning up the way banks market and sell financial products, Reserve Bank of India (RBI) has proposed a sweeping overhaul of rules governing advertising, telemarketing and third-party product sales. If mis-selling is established, RBI says banks must refund the entire amount paid by the customer and cancel the sale where applicable.

In its draft Reserve Bank of India (Commercial Banks – Responsible Business Conduct) Amendment Directions, 2026, the central bank says, “A bank shall ensure that its policies and practices neither create incentives for mis-selling nor encourage employees or direct selling agents (DSAs) to ‘push’ the sale of products and services.”

At the heart of the draft amendment directions is a clear message: banks must stop incentivising behavior that leads to mis-selling.

The proposed framework, which will come into effect from 1 July 2026, once finalized, lays down

granular standards on everything from explicit customer consent and tele-calling hours to digital interface design and post-sale feedback.

For the past 16 years, Moneylife Foundation has consistently warned people about mis-selling by their banks through employees, relationship managers (RMs), and DSAs within the banks, whose jobs and incentives depend on their ability to bring in high-commission business.

Consequently, they ruthlessly squeeze customers without sparing even the helpless elderly people. But lack of awareness about financial products is widespread, and people tend to wake up and come to us only after they have lost serious money.

## Clear Definition of Mis-selling

In a notable step, the RBI has, for the first time, provided a detailed definition of ‘mis-selling’ within the responsible business conduct framework.

It says mis-selling will include selling a product that is unsuitable for a customer's profile, even if the customer has given explicit consent, selling without complete or correct information, bundling products compulsorily, or selling without clear consent. It will also cover any conduct identified as mis-selling by other financial sector regulators.

This closes a long-standing grey area in which banks have argued that customer signatures or digital clicks constitute adequate protection against allegations of mis-selling.

Under the draft, RBI says explicit consent must be 'specific, informed and unambiguous', obtained through a clear affirmative action and properly recorded. Importantly, banks will not be allowed to club consents for multiple products or purposes together. Each product must carry its own separate approval.

### **No Forced Bundling, No Hidden Add-ons**

The draft directions also take aim at 'compulsory bundling', which is defined as making the purchase of one product conditional on the purchase of another, whether it is the bank's own offering or a third-party product.

While voluntary packages offered without additional cost will be permitted, banks will not be allowed to force customers to buy insurance, investment products or other services as a condition for sanctioning loans or extending other facilities, RBI says.

Further, banks cannot fund the purchase of a product, whether their own or a third party's, out of a loan sanctioned to the customer without explicit consent.

In cases where a bank's own product is linked to a third-party product, customers must be given the option to purchase that third-party product from any other provider, RBI says. "They cannot be compelled to buy it from the bank's partner."

### **Sales Incentives Under Scrutiny**

Perhaps the most consequential proposal from the draft rules relates to internal sales practices. RBI has cautioned banks against organizing competitions among business units, earmarking specific days for targeted selling, or adopting similar strategies if these create incentives for mis-selling.

Crucially, employees engaged in marketing or selling third-party products must not receive any direct or indirect incentive from the third-party

provider, the central bank says.

This is a direct response to persistent concerns that aggressive cross-selling targets, particularly in areas such as insurance and mutual funds, have led to inappropriate product placements, especially among elderly or financially less literate customers.

### **Tele-calling Restricted to Office Hours**

The draft also tightens norms around telemarketing and field visits.

RBI says that bank employees and DSAs or direct marketing agents (DMAs) will be permitted to contact customers only between 9am and 6pm. Calls or visits outside these hours will be allowed only if the customer has expressly requested or authorized such contact.

Agents will be required to clearly identify themselves and must not misrepresent themselves as bank employees. They must disclose differences in fees, charges or interest rates if a product is purchased through them rather than directly from the bank.

Customers flagged as 'do not disturb' or DND must not be contacted, and banks must respect customer privacy by sharing information only with explicit consent, the draft rules say.

In addition, RBI says banks may send promotional communications only if the customer has given explicit consent to receive them. Unsubscribing must be as easy as subscribing and customers should be able to view all subscribed commercial communications through a dedicated link on their digital banking interface.

### **Crackdown on 'Dark Patterns'**

In a forward-looking move, the RBI has also addressed manipulative digital design practices, which are commonly known as dark patterns.

The draft defines dark patterns as deceptive user interface or user experience designs that mislead or trick users into actions they did not intend, thereby impairing consumer choice.

An illustrative annex lists practices such as false urgency (limited time only), basket sneaking (adding products by default), confirm shaming, forced pop-ups, subscription traps, drip pricing, disguised advertisements and trick wording.

Banks will be required to ensure that their digital interfaces do not deploy such practices. User interfaces must undergo user testing and periodic

internal audits to detect unfair features. They must also comply with the Central Consumer Protection Authority's Guidelines for Prevention and Regulation of Dark Patterns, 2023.

### **Suitability, Disclosures & Documentation**

Before marketing or selling a product, RBI says banks must assess its suitability and appropriateness by analyzing product features, risk-return attributes, fee structure and complexity against the customer's age, income, financial literacy and risk tolerance.

"Advertising material must be clear and factual. Interest rates, fees and charges must be disclosed, and third-party products cannot be marketed as if they are the bank's own. The bank must clarify its role when offering such products," it says.

According to RBI, separate application forms will be required for each product category, prominently stating the nature of the product like insurance, mutual fund, pension, hybrid and so on. Importantly it says, these documents must be made available in the regional language or in a language understood by the customer.

"After receiving an application for a third-party product, banks must confirm with the customer via SMS, email or other secure medium that the application has indeed been made. On completion of the sale, a copy of the signed agreement must be provided to the customer, either physically or electronically," the draft rules say.

### **Post-sale Feedback and Compensation**

RBI has also proposed a mandatory feedback mechanism. Within 30 days of a sale, it says banks must seek feedback, potentially through call-backs or surveys conducted by a unit not involved in the sale, to ensure customers have understood the product and its associated risks. A half-yearly report on these findings must be prepared and used to review policies and product features.

Customers will be allowed to lodge complaints regarding mis-selling within the timelines specified by the relevant sectoral regulator. Where no such timeline exists, complaints may be filed within 30 days of receiving the signed agreement.

"If mis-selling is established, banks must refund the entire amount paid by the customer and cancel the sale where applicable. They must also compensate the customer for any loss arising from the mis-sale, in line with an approved policy," RBI says.

### **Broader Compliance Mandate**

The draft directions make it clear that banks must comply not only with RBI norms but also with guidelines issued by other regulators such as Securities and Exchange Board of India (SEBI), Insurance Regulatory and Development Authority of India (IRDAI) and Pension Fund Regulatory and Development Authority (PFRDA), as well as telecom rules governing commercial communications.

Taken together, the proposals represent one of the most comprehensive attempts in recent years to align bank sales practices with consumer protection principles.

For customers long frustrated by unwanted calls, hidden charges and opaque cross-selling, the draft signals a regulatory pivot: growth in fee income cannot come at the cost of informed consent and fair conduct.

The onus, once these rules are finalized, will firmly rest on banks to prove that every product sold is suitable, transparent and genuinely chosen — not pushed.

RBI has invited comments and feedback on the draft amendment directions from all stakeholders till 4 March 2026. Responses may be submitted through the 'Connect 2 Regulate' section on the RBI's website.

Alternatively, stakeholders may send their representations to The Chief General Manager-in-Charge, Department of Regulation (SIG-NBFCs), Reserve Bank of India, 12th Floor, Central Office Building, Shahid Bhagat Singh Marg, Fort, Mumbai – 400 001, or by email (feedbackfortypeInbfc@rbi.org.in) with the subject line: 'Feedback on the draft "Reserve Bank of India (Non-Banking Financial Companies – Registration, Exemptions and Framework for Scale Based Regulation) Amendment Directions, 2026".'

#### **This is how the media works.**

It was the Pope's first visit to the holy city of Varanasi in India. Amid massive excitement among journalists to talk to the Pope, one of them got a chance to ask him one question. He asked, "Your Holiness, will you be visiting any nightclubs while in Varanasi?" The Pope, surprised and exasperated, asked, "Are there any nightclubs in this holy city?"

Next day, Newspaper Headlines: "Pope's First Words: Are There Any Nightclubs in the City?"

# Consumer court orders Leela Palace to pay ₹10 lakh after housekeeping staff enters occupied room with master key

Arna Chatterjee, Published from Bar & Bench

A consumer forum in Chennai recently ordered Leela Palace hotel at Udaipur to pay ₹10 lakh as compensation to a woman after housekeeping staff entered her room using a master key thereby violating her privacy [*SN v. Schloss Udaipur Private Limited*].

The consumer forum ruled that housekeeping staff cannot enter an occupied guest room using a master key solely on the basis of internal standard operating procedures (SOPs).

The District Consumer Disputes Redressal Commission, Chennai (North) bench comprising President **D Gopinath** and members **Kavitha Kannan** and **R Sivakumhar** held that such an act amounts to a deficiency in service and violates the guest's right to privacy.

Accordingly, the Commission directed the hotel to refund the entire room tariff of ₹55,500 to the guest, with an interest at 9 percent per annum from January 26, 2025 until realization.

It also awarded the ₹10 lakh as compensation for pecuniary and non-pecuniary damages and ₹10,000 towards litigation costs.

The amounts are to be paid within two months from receipt of the order, failing which interest at 9 percent per annum would apply.

The decision was pronounced on December 16, 2025, on a consumer complaint filed against Schloss Udaipur Private Limited, which operates The Leela Palace, Udaipur.

The complainant, a Chennai-based advocate, had booked a "Grand Room with Lake View" at the hotel for a one-day stay. She alleged that a housekeeping staff member entered her room using a master key while she and her husband were inside the washroom.

She stated that the entry was made without her consent and that because the washroom door was broken, it resulted in a serious invasion of her privacy. According to her, the incident caused significant mental distress.

In response, the hotel denied any wrongdoing and maintained that its housekeeping staff acted in accordance with established standard operating procedures.

It said that the staff are trained to ring the

doorbell, announce themselves, and wait before entering if there is no response. The hotel claimed that no "Do Not Disturb" sign was displayed and that neither the door latch nor the double lock was engaged.

It also stated that the staff member left immediately after realizing the washroom was in use, and that the apology letters issued later were merely goodwill gestures and did not amount to an admission of fault.

However, the Commission ruled that internal SOPs cannot take precedence over a hotel's basic duty to protect the privacy and safety of its guests, especially in a premium hotel that charges high room tariffs.

*"The reliance on SOPs cannot override a guest's fundamental rights to privacy, particularly in a five-star luxury hotel charging premium tariffs, to guarantee the same... Entry was effected by using master key, within less than one minute of ringing the bell, which... is unreasonable and unsafe in a situation where the room was occupied and the washroom was in use,"* said the Commission.

It was also observed that allowing staff to use a master key to enter a room while it is occupied, without proper checks, amounts to a serious lapse in hospitality service.

*"If the staff could not hear any voice from inside, they should have avoided entering the room using the master key and should have informed the reception desk to verify the guest's presence through intercom or telephone... The failure to produce the SOP clearly establishes negligence in handling and maintaining basic etiquette by the staff... Had the SOPs been strictly followed, the incident in question could have been avoided,"* the Commission said.

The Commission noted that even by the hotel's own account, the staff member entered the room using a master key shortly after ringing the doorbell.

It held that such an entry was unreasonable and unsafe, particularly when the room was occupied. The Commission also pointed out that the hotel failed to demonstrate that its SOPs required any verification through the reception desk or the room intercom before entering an occupied guest room.

It observed that written apology letters issued by hotel staff and management on the same day carried evidentiary value and could not be dismissed as routine hospitality gestures.

*"Though... (the Hotel) calls them "goodwill gestures," the Commission cannot ignore that such written apologies, issued on the very date of the incident, acknowledge failure and lapse in handling the situation. In consumer jurisprudence, such admissions, even if styled as apologies, carry evidentiary value and cannot be brushed aside as routine hospitality practice,"* it said.

The Commission also accepted the complainant's claim that the washroom door had been broken, noting that the hotel did not charge her for any damage.

It further recorded that the CCTV camera outside the room was not functioning and that there were delays in providing the footage, raising serious concerns about the hotel's service standards and

safety practices.

The Commission examined the hotel's conduct after the incident, noting delays in addressing the complaint, repeated assurances without resolution, and the inconvenience caused while the complainant and her husband waited to collect their belongings before departure.

While the Commission declined to direct mandatory publication of SOPs or issuance of a public apology, it noted that under Section 39 of the Consumer Protection Act, 2019, it has the power to award compensation proportionate to the injury suffered.

Accordingly, it allowed the complaint.

The complainant was represented by Ask Law Firm through advocates Aryan Suresh and Sonu Mehttha.

Advocate Vivrti Law represented Schloss Udaipur Private Limited.

## **Supreme paradox: Inconsistency in the highest court**

***Without a clear framework reconciling these approaches, constitutional adjudication risks devolving into case-specific interpretive discretion rather than principled, coherent reasoning.***

**Amit Gupta** (*Oxford and Columbia University graduate practicing in the Supreme Court and the Delhi High Court*) Published from Bar & Bench.

Recent remarks by Justice **BV Nagarathna** that judgments should not change with the change of faces highlight a worrying trend where issues having attained finality are reconsidered, albeit without any proper interpretive methodology.

Two Constitution Bench decisions delivered in 2025 — *Rejanish KV v. K Deepa* (on eligibility for direct recruitment to the district judiciary) and the *Presidential Reference on Assent to Bills* (on the scope of gubernatorial assent to State Bills) — highlight this issue aptly. Both judgments, operate in substance as reconsiderations of earlier binding precedent. *Rejanish* revisits and effectively narrows the ratio of *Dheeraj Mor v. High Court of Delhi* and related Article 233 jurisprudence, while the Presidential Reference re-evaluates a prior two-judge bench decision in *State of Tamil Nadu vs. Governor of Tamil Nadu*.

To further accentuate the issue, the two judgments adopt sharply divergent interpretive approaches - one purposive and contextual, the other strictly textual - without articulating reasons for that divergence.

### **Rejanish KV: A purposive and contextual reading of Article 233**

The issue in *Rejanish* concerned the eligibility criteria for direct recruitment as district judges under Article 233(2) of the Constitution. Earlier cases, including *Chandra Mohan v. State of UP*, *Satya Narain Singh v. High Court of Allahabad*, the *All-India Judges' Association* and, most decisively, *Dheeraj Mor* had held that only practicing advocates with seven years' standing were eligible under the Bar quota. Under this textual interpretation, a judicial officer ceased to be an "advocate" upon entering service and, therefore, could not compete for the Bar quota, even if she had practiced for seven years prior to joining service.

Departing from this understanding, the Constitution Bench in *Rejanish* held that an in-service judicial officer who previously had seven years' standing at the Bar was eligible for direct recruitment. Further, the Bench held that eligibility is to be determined at the stage of applying for the post, not at the time of appointment.

This reasoning is purposive. The Court did not rely on the literal wording of Article 233(2), which says that a person shall not be eligible unless “he has been for not less than seven years an advocate”. In *Chandra Mohan*, the earlier Constitution Bench had clearly construed expression “the service” in Article 233(2) as judicial service. Thus, “[a] person not already in the service of the Union or of the State shall only be eligible to be appointed a district judge” would necessarily mean that a person in judicial service shall not be eligible for appointment under Article 233(2).

The Court grounded its interpretation in the broader contextual purposes of Article 233 — strengthening the district judiciary, widening the recruitment pool, enhancing institutional capacity and ensuring merit-based selection. The Court emphasized the concept of independence of the judiciary and reasoned that greater competition attracts the best talent. This approach looked beyond the literal text to justify the decision.

The concurring opinion justified the treatment of constitutional silence as space for judicial elaboration. The text does not contemplate whether prior Bar experience can be counted after one enters judicial service. Instead of treating silence as prohibitory, the Court filled the constitutional gaps with purposive reasoning.

Even though the Court did not specifically refer to Article 142 of the Constitution, it issued directions to state governments for framing rules providing eligibility for candidates who are already in the judicial services and fixed the minimum age for candidates from the judicial services as 35 years. None of the above arise from a plain reading of the relevant provision.

### **The Presidential Reference: Strict textualism under Articles 200-201**

The Constitution Bench in the *Presidential Reference* addressed questions relating to whether a Governor may indefinitely withhold assent to Bills passed by a state legislature and whether courts may impose timelines or infer an obligation to act expeditiously.

Articles 200 and 201 enumerate the Governor’s options when presented with a Bill but do not specify any time frame for action. A previous two-judge bench in *State of Tamil Nadu* had imposed a requirement of “reasonable time”, grounded in democratic functioning and constitutional morality.

Rejecting this approach, the Constitution Bench held that the absence of express timelines in the

constitutional text bars judicial insertion of such timelines. The Court held that to impose timelines or create a doctrine of “deemed assent” would amount to rewriting the Constitution.

This is strict textualism. The Court elevated the silence of Articles 200–201 into a constraint, reasoning that where the Constitution speaks in specific terms, courts cannot supplement it. While cases like *Nabam Rebia* or *BP Singhal v. Union of India* might have supported reading implied obligations into gubernatorial functioning, the Court refused to employ such purposive tools. The Bench held that democratic values cannot justify judicial supplementation of constitutional text. Silence here is treated as a prohibition, not an invitation to fill gaps.

Unlike the two-judge bench decision, the Presidential Reference opinion did not extensively engage with the drafting history or the Constituent Assembly debates. It avoided the context in which Governors were sitting over bills for unreasonably long time and focused on institutional boundaries and separation of powers rather than the broader democratic and federal context. The Constitution Bench was also highly critical on invocation of Article 142 in *State of Tamil Nadu*.

### **The resulting incoherence**

The two judgments adopt fundamentally inconsistent approaches to constitutional interpretation. In *Rejanish*, the Court interprets constitutional provisions purposively, reading into Article 233 larger institutional and functional objectives absent in the text. Constitutional silence is treated flexibly. In the Presidential Reference, the Court anchors its reasoning in the bare text and refuses to go beyond it. Silence is treated as forbidding judicial creativity.

The Court offers no rationale for when textualism is appropriate and when purposivism is warranted. In the absence of clear guidance, the interpretive method appears bench-specific and ad hoc. It is interesting that the both the benches were presided by the former Chief Justice Gavai. This unpredictability affects litigants, lower courts, and the clarity of constitutional law itself. Without a clear framework reconciling these approaches, constitutional adjudication risks devolving into case-specific interpretive discretion rather than principled, coherent reasoning. To preserve constitutional stability and predictability, the Supreme Court must ensure not only that settled law is not upset by change of bench composition; it must also articulate a clearer theory as to when purposive reasoning is permitted and when textual adherence is required.

# Amazon Ordered to Refund TV Buyer as Mumbai Consumer Commission Rejects ‘Mere Intermediary’ Defence

Courtesy: Moneylife Digital Team

In a significant ruling reinforcing consumer right in online shopping, a Mumbai suburban consumer commission has directed Amazon to refund the full cost of a defective television and pay additional compensation. The Mumbai (suburban) district consumer disputes redressal commission outrightly rejected the e-commerce giant’s claim that it is merely an ‘intermediary’ with no responsibility for product quality.

In an order last week, the commission, led by president Pradeep Kadu and member Gauri Kapse ruled that an online marketplace like Amazon cannot absolve itself of responsibility simply by describing itself as an intermediary, particularly when it actively facilitates sales, derives commercial benefit from transactions and engages directly with consumers after the sale.

In its final order, the commission directed Amazon to refund ₹16,499 to the complainant along with 6% interest per annum calculated from February 2018. It also ordered the company to pay ₹10,000 as compensation for mental agony and ₹5,000 towards legal expenses. The commission held Amazon Seller Services Pvt Ltd (ASSPL) liable for deficiency in service for failing to resolve a customer’s grievance regarding a faulty television purchased through its platform.

“A consumer purchasing goods online does not have direct access to the manufacturer or service center. The only visible and accessible entity is the online platform. The consumer relies not only on the brand but also on the credibility and assurance of the platform,” the commission observed.

In 2018, Goregaon-based TR Dhariwal purchased a 40-inch Full HD LED television through Amazon for ₹16,499. Upon delivery, the television was found to have poor sound output, inferior picture quality and a remote control that did not function at all. Despite repeated emails and

follow-ups, Mr. Dhariwal alleged that Amazon declined to issue a refund or replacement and instead advised him to contact the manufacturer directly. The platform eventually closed the complaint without resolving the issue, prompting the customer to approach the consumer commission seeking a refund, compensation for mental agony, and legal costs.

Appearing before the commission as Amazon Seller Services, the company argued that it operates strictly as an intermediary marketplace facilitating transactions between third-party sellers and buyers. Its legal team contended that Amazon neither manufactures nor sells products and that, under its ‘conditions of use’, it provides only technical support and not product warranties. The commission, however, rejected this argument, holding that once a product is sold through Amazon’s platform, the company assumes responsibility for ensuring that the product is free from defects and is serviceable.

Invoking the principle of vicarious liability, the commission says, “The online platform stands in a position of trust and derives commercial benefit from each sale. Having voluntarily chosen to host, promote and facilitate the sale of the product, the platform assumes a fiduciary and statutory duty to ensure that consumers receive defect-free goods and effective post-sale support.”

The commission also took note of what it described as standardized email responses offering ‘hollow assurances’ without meaningful resolution, holding that such conduct amounted to a deficiency in service under the Consumer Protection Act. The ruling is an important reminder that large e-commerce platforms cannot escape accountability for defective products sold through their websites, particularly when consumers have no effective avenue for redress other than the platform itself.

Don & Barca both political opponents ended up at the same barber shop. As they sat there, each being worked on by a different barber, not a word was spoken. The barbers were both afraid to start a conversation, for fear that it would turn nasty. As the barbers finished their shaves in silence, the one who had Don in his chair reached for the aftershave.

Don was quick to stop him, jokingly saying, “No thanks. My wife, will smell that and think I have been in a brothel.”

The second barber turned to Barca and said, “How about you, Mr. Barca?”

Barca replied, “Go right ahead, my wife, doesn't know what the inside of a brothel smells like.”



Teacher: Beta, Answer Sheet Par Sabse Pehale Kya Likhna Chahiye?

Santa: Iss Sheet Par Likhe Gaye Answer Kalpanik Hai, Jinka Kisi Bhi Book Se Koi Sambhandh Nahi!

## Hotel Service Charge Is Illegal: CCPA Fines Restaurants, Orders Refunds

Courtesy: Moneylife Digital Team

The central consumer protection authority (CCPA) has imposed monetary penalties and ordered refunds against restaurants that automatically added a service charge to customer bills, declaring the practice illegal and an unfair trade practice under consumer law.

In a *suo-motu* action following consumer complaints, the CCPA has proceeded against 27 restaurants across India, directing errant establishments to refund the service charge collected, imposing penalties of up to Rs 50,000 for violations of the Consumer Protection Act, 2019.

According to CCPA, investigations revealed that several establishments were flouting these rules by adding a 10% service charge by default. Among those pulled up were Café Blue Bottle in Patna and China Gate Restaurant Pvt Ltd which operates Bora Bora in Mumbai.

The move follows a 28 March 2025 judgement of the Delhi High Court which upheld the CCPA's guidelines on service charge and ruled that compulsory collection by restaurants is contrary to the law.

The Court also affirmed that CCPA is fully empowered to enforce its guidelines, removing any lingering ambiguity around the authority's jurisdiction in such cases.

The guidelines, issued in July 2022, make it clear that restaurants cannot automatically or by default add a service charge to a bill, collect it under any other name, or force customers to pay it. They also prohibit restaurants from denying entry or service to customers who refuse to pay the charge and bar the inclusion of a service charge in

the bill for the purpose of levying GST (The Goods and Services Tax).

The action was triggered by consumer complaints received through the national consumer helpline (NCH) many of which were supported by invoices showing the automatic addition of a service charge. A detailed probe found that such billing practices fall squarely within the definition of unfair trade practice under Section 2(47) of the Act.

In the Café Blue Bottle case, CCPA directed the restaurant to refund the entire service charge collected from the complainant, immediately stop the practice, and pay a penalty of Rs 30,000.

In the case of China Gate Restaurant, the restaurant refunded the service charge during the hearing. The authority, however, went a step further, ordering the company to modify its software-driven billing system to remove any default addition of service charge or similar levies.

It also imposed a penalty of Rs 50,000 and instructed the restaurant to ensure that its publicly listed email address remains active for consumer grievance redressal, as required under the law.

CCPA says it is closely monitoring service charge-related complaints through the national consumer helpline and warned that strict action will continue against restaurants that fail to comply with the guidelines. ***The latest enforcement action sends a clear signal to the hospitality industry that service charge remains a voluntary payment at the customer's discretion and not a mandatory component of the bill.***

### CONSUMER GUIDANCE SOCIETY OF INDIA (CGSI)

The Societies Registration Act XXI of 1860: Ref. No. BOM 33/1966 GBBSD 04/04/1966 &  
The Bombay Public Trusts Act XXIX of 1950: Reg. No. F – 1381 (BOM) 20/05/1966

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# ***The AI Revolution in Consumer Rights – And Why It Still Needs Watching***

***By Sucheta Dalal (Courtesy: Moneylife Digital)***

Those born after the turn of the millennium are largely unaware that India once possessed a vibrant, fierce consumer movement. In the 1960s & 1970s, a time that was defined by scarcity, black-marketing, and a dysfunctional public distribution, ***nine women founded the Consumer Guidance Society of India. They built the first among many strong organizations set up across India. After five years, they led a delegation of five consumer organizations to Parliament demanding a comprehensive consumer protection law. That effort led to the Consumer Protection Act (COPRA) in 1986.***

From then until 2000, the Indian consumer movement had its golden period with several powerful organizations scoring decisive pro-consumer victories. Since then, however, the consumer movement has lost much of its relevance. Its strengths – providing information and guidance, testing daily-use products and issuing reports, class action and public interest litigation (PIL) -- have been replaced by internet reviews and the ‘virality’ of social media complaints and reels.

When choice became abundant and companies competed for your rupee, individual consumer sovereignty seemed to eliminate the need for organized activism. Fighting for orderly distribution of food, gas connections, or scooters became irrelevant when private companies were wooing people with a vast array of goods and services. This led to a gradual decline in activism since 2000, accompanied by a funding squeeze and increased dependence on government handouts, leading to a fall in membership and public engagement.

The proliferation of sectoral regulators suggested that consumer interest would be more closely guarded. In the early days, this seemed possible. The Securities and Exchange Board of India (SEBI), the first independent regulator under chairman GV Ramakrishna, actively encouraged, accredited and engaged with investor groups across India. The telecom and power regulators followed this model. But gradually, the regulators decided that public stakeholders were an unnecessary irritant and began to shut them out from policy discussions. Soon enough, India's

legal system delivered the worst blow by defeating COPRA's promise of 90-150-day resolution. Consumer courts now operate with backlogs of nearly 100,000 cases and the tough pro-consumer decisions of the apex consumer court are often diluted by the Supreme Court of India (SC).

At the current speed of resolution and appeals, COPRA now seems designed to exhaust complainants into surrender – especially because exemplary penalties/damages are rare and do not cover time and cost of litigation. Companies were quick to figure out that long delays and poor outcomes meant that 90% of consumers abandoned their cases after a couple of years of adjournments. The battle was about attrition, not justice. Meanwhile, companies unleashed glitchy technology and artificial intelligence (AI) bots to handle customer service leading to a fresh trauma for consumers (AI in Customer Service: Frustration with Glitchy Automation and Data Capture).

A ray of hope appeared when social media emerged as an alternative, enabling quick embarrassment and resolutions, at least for viral posts. But often, companies respond to get complaints off the public domain which does not necessarily lead to resolution. The next big thing was online ratings – that the fear of bad reviews would ensure better treatment of consumers. The proliferation of fake and engineered reviews has often had the opposite effect.

Meanwhile, the core advocacy issues addressed by consumer organizations, such as adulteration, fraud, unsafe products and unfair practices, not only remained undiminished but evolved with time and technology. Every week exposes a new scandal. Tirupati temple laddus were found to be made with synthetic compounds and palm oil instead of ghee, paneer with zero milk, milk laced with detergents and toxic chemicals, harmful pesticides, carcinogenic food coloring – the list is endless. The convenience of online commerce is marred by dark patterns, fake products, poor access to redress and a scary proliferation of digital fraud.

Instead of a coordinated response from consumer organizations, what seems to work is individual action, public outrage and the occasional *Suo moto* action. COPRA 2019 was hailed as a game-

changer for setting up the central consumer protection authority (CCPA). It has, indeed, taken up issues like restaurant service charges and misleading advertisements, but is often hamstrung because of the overlap with other sectoral regulators in food, power, telecom, etc.

## **AI to the Rescue?**

In the coming days, AI promises to transform consumer protection in many ways. A couple of these initiatives are already showing results. For starters, India's upgraded national consumer helpline (NCH) now accepts complaints in 17 languages through voice input and is powered by AI speech recognition and natural language processing. This has not only broadened access but it is understood to have facilitated refunds worth Rs-45 crore by end of 2025.

A second initiative is NCH's collaboration with Meta to deploy a chatbot called Grahak-Nyay, developed by IIT Bombay and the National Law School, Bengaluru, using specialized AI trained in Indian consumer law to guide consumers through complaint procedures, help draft legal notices and explain their rights. The pilot is reportedly promising. In January 2025, it launched e-Jagriti, a platform that integrates complaint filing, virtual hearings, multilingual accessibility and AI-powered chatbot support. It claims to have resolved 131 lakh cases until mid-Nov. 2025.

Thirdly, use of AI in fraud detection, by uncovering anomalies in transaction patterns, is growing rapidly. It can potentially prevent fraud before it is complete, by triggering alerts, rather than after victims have lost money and filed a complaint. This will be a government initiative since AI systems must protect the entire network of financial transaction for such detection.

A fourth change is the clean-up of online reviews to improve trust and legitimacy. Trustpilot removed 4.5million fraudulent reviews in 2024 by analyzing linguistic patterns, anomalies and verification status. Legitimacy of reviews will be a key decider in buying decisions of consumers.

AI is also expected to track customer service quality through sentiment analysis and trigger alerts to the management when complaints spike for a specific issue, product or service allowing quick corrective action across the system. AI can track defunct testing, expiry dates, certifications, etc., to clean up the supply chain by flagging suspicious products. The use of AI to detect dark patterns and anti-trust action, such as suppressing complaints or remedies, will only increase and can help regulators initiate enforcement action without the need for class

action and advocacy. All this can happen in a corruption-free environment where government prioritizes the protection of people. On the flip side, poor governance and collusion can have the exact opposite effect by allowing corporations to weaponize systems using AI, faster processing and intelligent automation and hide their tracks to avoid detection and action.

## **What direction will India take?**

On the one hand, the consumer movement got its power from public support and the ability to challenge the government. While technology and Grahak-Nyay will help you draft faster complaints, clogged consumer courts and their refusal to award proper damages can defeat resolution. Also, it is naïve to think that the government will protect consumers when it has ensured that the class action mechanism remains toothless, due to procedural and logistical hurdles of requiring 100 affected parties to form a class. Class action can only work if consumer organizations have the resources to put together the legal documents required and their role is recognized by the government and courts.

India's governance framework for AI, articulated in Nov. 2025 guidelines, prioritizes 'innovation over restraint' and relies on self-regulation. This is not the way forward for effective consumer protection. Without binding obligations and enforcement mechanisms, it is a recipe for regulatory capture, since companies are bound to build AI systems that serve their own interests and not public good. After innumerable posts and surveys exposed how rates for online services are gamed, CCPA issued corrective guidelines on this, but enforcement remains a problem.

In effect, AI and technology is unlikely to protect consumers – only three things can do it. First, judicial reform and a better understanding of punitive damages. Today, the legal process is a second round of punishment for victims, despite a plethora of sectoral regulators. Secondly, making class action work and, thirdly, recognizing non-government organizations (NGOs) as legitimate plaintiffs would transform the redress process by forcing companies to settle issues instead of litigating.

Consumer protection in India stands at a crossroads. AI offers consumer organizations a chance to operate more effectively with smaller teams. But, unless people realize that government will not resolve their issues without organizations that watch and track its functioning, Indian consumers are doomed to remain victims of judicial delay, regulatory capture and misuse of technology.

## Quality of generic drugs as good as that of costlier branded cousins: Study

Anuja Jaiswal (Printed from The Times of India)

A citizen-funded quality study of commonly prescribed medicines has found no difference in quality between expensive branded drugs and the far cheaper generics, including govt supplied medicines, even as prices of some top brands can be as much as 14 times higher for the same drug.

The findings come from Citizens Generic vs Branded Drugs Quality Project by Kerala-based non-profit Mission for Ethics and Science in Healthcare, which tested 131 samples of 22 widely used medicines for heart disease, diabetes, liver disorders, infections, pain, acidity, allergies and thyroid conditions.

The project led by Cyriac Abby Philips, popularly known as The Liver Doc, who flagged how fear and mistrust of cheaper medicines – rather than evidence – often push patients to abandon treatment, with serious health consequences.

The study covered top branded drugs, branded generics sold by large pharmaceutical companies, trade or local generics and govt medicines supplied under Pradhan Mantri Bhartiya Janaushadhi Pariyojana. All samples were purchased from pharmacies.

Testing was conducted at a laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories and US Food and Drug Administration, across five Indian Pharmacopoeia parameters: drug content, dissolution, uniformity, impurities and physical appearance. All generics met prescribed quality standards and performed on a par with branded medicines.

What stood out was the price gap. The average price per tablet of branded medicines was Rs 11.17, compared with Rs 2.40 for Jan Aushadhi drugs, with several trade generics also being significantly cheaper.

Medicines like pantoprazole, atorvastatin and rifaximin, branded versions cost 5 to 14 times more than the cheapest quality-tested generic alternatives.

Indians incur 62 - 69% of healthcare expenditure on medicines. Doctors say high prices often lead to missed doses, irregular intake or treatment discontinuation, especially for chronic illnesses.

Senior clinicians said the findings mirror everyday practice. Dr Suranjit Chatterjee, senior consultant in internal medicine at Indraprastha Apollo Hospitals, said lower cost medicines, including Jan Aushadhi drugs, meet Indian Pharmacopoeia standards and are likely to work as intended.

While doctors are comfortable prescribing such options to cost-constrained patients, he cautioned that regular monitoring is essential and flagged practical issues such as inconsistent availability, limited dose options, packaging and patient familiarity. Wider availability and assurance of batch-to batch consistency, he said, would support wider use of such medicines.

Dr. Sandeep Kharb, senior consultant in endocrinology at Asian Hospital, said the results confirm what clinicians routinely see – that patients do just as well on affordable versions of medicines such as metformin, amlodipine and levothyroxine as on expensive brands. He added that rigorous testing in accredited laboratories addresses most quality concerns and affordability is crucial for long-term adherence to treatment.

The study's authors argue the issue is not price control but transparency and trust. In the absence of accessible quality data, doctors and patients often rely on brand perception rather than evidence – at a considerable financial and health cost.

## Bengaluru woman sues Swiggy, eatery after eating prawn in Rs 145 vegan sandwich, wins Rs 1 lakh

Curated by: **Ankita Sengupta** Printed from Money Control

On August 22, 2024, the woman filed a consumer complaint alleging deficiency in service and betrayal of trust, seeking Rs 2 lakh in compensation.

A simple craving for a vegan sandwich turned into a legal battle in Bengaluru after a woman discovered prawn pieces in her order. The

consumer commission has now directed Swiggy and the restaurant to pay her Rs 1 lakh in compensation for negligence.

The complainant, 37-year-old Nisha G, a lifelong vegetarian who turned vegan out of love for animals, ordered a vegan sandwich from Paris Panini via Swiggy on July 10, 2024. She took a bite

and noticed an unusual taste. On checking, she found prawn pieces inside the sandwich, triggering panic and cleansing rituals, *Times of India* reported.

The next day, Nisha visited the Paris Panini outlet, where the manager admitted the mix-up, blaming it on “heavy rush”. The restaurant offered a replacement, but Nisha refused, saying she felt “humiliated and spiritually violated”.

### **Eatery says: 'A normal vegan would not have...'**

On July 20, 2024, Nisha sent legal notices to both Swiggy and Paris Panini, but neither responded. On August 22, 2024, she filed a consumer complaint alleging deficiency in service and betrayal of trust, seeking Rs 2 lakh in compensation.

Swiggy argued that it was only a technology intermediary connecting customers with restaurants, and that the contract of sale existed solely between the buyer and the restaurant. Paris Panini admitted the error but called it an

unintentional mistake during peak hours, but added that “a normal vegan would not have chosen our restaurant, as we serve both vegetarian and non-vegetarian food”.

### **Commission's ruling: 'Not a simple mistake'**

The Bengaluru Urban District Consumer Disputes Redressal Commission ruled that delivering non-vegetarian food to a vegan” amounts to a grave deficiency in service”.

“The act of sending non-vegetarian food to a vegan or a person having certain food restrictions on the basis of religion, culture or health, cannot be taken lightly”, the order stated. “Such negligence has emotional, religious, and psychological consequences”.

The commission directed Swiggy and Paris Panini to jointly pay, Rs 50,000 as compensation, Rs 50,000 for mental agony, Rs 5,000 towards litigation costs, and a refund of Rs 146 (cost of the sandwich) with 12 percent annual interest from the date of the order till realization.

## **How Aging Affects Your Sleep**

**Medically Reviewed by Jabeen Begum, MD (Courtesy: WebMD)**

### **Age-Related Sleep Problems**

As you get older, you are likely to notice changes in your sleeping patterns. You may find it harder to get to sleep -- and stay that way -- than you used to. You might feel tired during the day and want to take a nap. You are not alone: More than half of men and women over the age of 65 have problems with sleep. Many things can affect the quality of your rest, and sometimes there is more than one cause at play.

### **Pain**

Arthritis, back problems, GERD, diabetes, and other age-related illnesses can cause pain that wakes you up. In some cases, physical therapy or surgery can help with back pain. Otherwise, your doctor may be able to treat it as well as other underlying illnesses. Over-the-counter (OTC) pain relievers can lessen pain and inflammation.

### **Neurological Illness**

These types of illnesses cause problems with electrical signals in the brain and nervous system. Parkinson's can cause movements that wake you or disturb your sleep in other ways. And Alzheimer's unsettles and agitates some people

right around the time they normally go to sleep. Your doctor can help you treat symptoms of these conditions.

### **Medication**

Drugs for heart disease, high blood pressure, Parkinson's, and thyroid problems -- all more common as you age -- might interrupt your sleep. And age can make the effects of some medications more likely to keep you up, such as the stimulant pseudoephedrine in OTC decongestants. Your doctor may be able to adjust or change your medication if it seems to affect your sleep.

### **Waking Up to Pee**

If it happens more than once a night, your doctor might call it nocturia. It tends to happen more as you get older. This may be due to illness, like diabetes, heart failure, or to infection, inflammation, and other age-related bladder problems. It may help to avoid caffeine and alcohol later in the day. Your doctor may prescribe water pills (diuretics) to help you pee earlier in the day, or other drugs that lessen the need to go.

## Menopause

As you stop having your period in middle age, your body slowly stops making the hormones progesterone and estrogen. This often causes hot flashes in which a surge of adrenaline wakes you up. This can happen many times a night. They can make you get too hot and sweat -- sometimes a lot. Your doctor may be able to prescribe hormones to stop these flashes to help you sleep.

## Sleep Rhythm Changes

As you get older, you tend to get sleepier earlier in the evening and wake up earlier in the morning. It can help to listen to your body as this shifts so that your sleep hours are more in tune with your body's natural rhythms. You can ease yourself to bed with a soothing evening routine. Read a book or listen to calming music. A hot bath or shower and light stretching exercises also can promote sleepiness.

## Sleep Apnea

It is when you snore so intensely that you repeatedly cut off your breathing as you sleep -- sometimes hundreds of times a night. It can affect anyone, but it is more likely after age 40. You might notice that you are groggy the next day from a lack of sleep. Sometimes it is because you are carrying a few extra pounds, but not always. A doctor can test you to see if you have it and help you treat it.

## Restless Legs Syndrome

It causes your legs to move when you do not want them to. It can keep you up with strange feelings in your legs: they may tingle, or you could feel your skin crawl or have a "pins and needles" sensation. When it includes your arms, it is called periodic limb movement disorder, or PLMD. About 20% of people 80 or older have RLS. More than that have some form of PLMD. Your doctor may be able to help you manage your symptoms.

## Mental Health

New mental health issues, like depression, can come up as you age. People with depression, bipolar disorder, and other mood disorders are more likely to have sleep problems. It might be a sudden event or difficult period in your life. Or it could be that everyday events start to worry you more than they used to (anxiety). Talk to your doctor if worries or your mood seems to interfere with your sleep.

## Naps

As you get older, you may find yourself with more

extra time to doze off during the day, either by accident or on purpose. But if you are not sleeping at night, naps may not be a great idea, especially in the late afternoon or evening. You may not feel tired at bedtime or sleep as well. That can lead to a cycle that disrupts your normal sleep routine and makes it harder to get up in the morning.

## Heart Issues

Shortness of breath from heart failure, chest pain from angina, a racing pulse from atrial fibrillation: All these heart problems can interfere with your sleep. And less sleep can worsen these heart issues, which leads to an unfortunate cycle. Talk to your doctor about any of these symptoms. If you have an underlying condition, find out how you can manage it with lifestyle changes, medications, surgery, or other treatments.

## Help Your Sleep: Make a List

Sleep can be hard if your mind is racing with all the things you need to do tomorrow. You can cut down on that stress if you take just a few minutes to organize your thoughts into a "to-do" list. It may help you sleep better tonight. It also gives you a ready-made guide for how to attack the day tomorrow.

## Help Your Sleep: Put Down the Phone

Artificial light after dark can mess up your sleep. The blue light from electronic devices like your smartphone and laptop is especially bad because of how it lowers your melatonin levels. Special screens can filter out part of that light. Some devices have "nightshift" settings that help remove it. But the best thing to do is to put the electronics down as early in the evening as possible.

## Help Your Sleep: Less Alcohol

You might feel sleepy after a drink or two, but later, it can wake you up again in the night. It disrupts the important REM stage of sleep and could interfere with breathing. It also makes you pee more, which means you might have to get up and go to the bathroom. It might help to drink less in the late afternoon and evening before bed.

## Help Your Sleep: Less Caffeine

It is not just in coffee and tea. It is in soda, chocolate, energy drinks, and over-the-counter pain medication. It can make it harder to fall asleep. It can lessen the amount or quality of your sleep, especially as you get older. Even 6 to 8 hours before bedtime could have an effect. Avoid it in the afternoon and evening, particularly if you have trouble sleeping.



## LAUGHTER THE BEST MEDICINE



Jokes are meant for amusement! It employs comedic vehicles like parody, satire, other material referencing, true people, organizations, religions, regions, country, sexuality, etc., making fun of them in ways that are obviously not true. Some jokes might be offensive to some readers as every individual's sense of humor is different. Our intent is not to offend or cause damage to anyone reading or understanding these jokes. If you trust that jokes could offend you, please do not read them! Despite this warning, if on reading you find, the jokes not to your liking, ignore and move on!

Please be aware that they are simply just JOKES!

Dad, my car will not start”  
 “What’s wrong with it?”  
 “My boyfriend said it might be water in the carburetor”  
 “Where is it?”  
 “In the river!”

Daughter: “Dad, I have a flat tire.”  
 Dad: “Can’t you call your husband?”  
 Daughter: “I tried, he didn’t answer.”  
 Dad: “Do you have a spare?”  
 Daughter: He did not answer either!”

“Dad, my car won’t start”  
 “What’s wrong with it?”  
 “My boyfriend said it might be a flat battery.”  
 “How did that happen; you left the lights on?”  
 “No dad. A steamroller ran it over.”

A politician was scheduled to give a speech in a remote village. After traveling 300 kilometers over broken and bumpy roads, he reached the venue only to find that there was just one farmer sitting there to listen to him.

Seeing only one person, the politician was deeply disappointed. In a dejected tone, he said, “Brother, you are the only one here, I do not understand if I should give the speech or not?” The farmer replied, “Sir, I have twenty (20) donkeys at my home. If I go to feed them and find that only one donkey is there while the others have run away, would I refuse to feed that one donkey too? Would I let him starve just because he is alone?”

The politician was highly impressed by the farmer’s logic. Feeling motivated, he went up to the podium and delivered a passionate, high-energy speech for two (2) full hours—just for that one farmer.

After finishing the speech, he walked down directly to the farmer and asked proudly, “I really liked your donkey example! Now, tell me, how did you like my speech?”

The farmer replied calmly, “Sir, the absence of nineteen (19) donkeys doesn’t mean that you should dump the fodder meant for twenty (20) donkeys in front of just one...!!!”

Santa: “Yaar Banta, why are you wearing sports shoes?”

Banta: “I am going to play Chess. You coming?”

Santa: “Only if we play doubles.”

**From L. K. Advani’s, “My country my life”**

Nawaz Sharif comes to Delhi for a meeting with Vajpayee. After dinner, Vajpayee says to Sharif: “Well, Nawaz Sahab, I don’t know what you think of the members of your Cabinet, but mine are all bright and brilliant.”

“How do you know?” asks Sharif.

“Oh well, it’s simple’, says Vajpayee. “They all must take special tests before they can be a minister. Wait a second.... He calls Advani over and says to him, “Tell me, Advani ji, who is the child of your father and of your mother, who is not your brother and is not your sister?”

“Ah, that’s simple”, says Advani, “It is me!”.

“Well, done, Advani ji”, says Vajpayee.

Sharif is very impressed. He returns to Islamabad and wonders about the intelligence of the members of his Cabinet. He calls in his Cabinet Secretary, recounts the dinner table conversation that he had with the Indian Prime Minister, and asks him to test the IQ of a particular minister.

The Cabinet Secretary calls in the minister and says: “The Prime Minister has asked me to ask you to answer the following question: ‘Who is the child of your father and of your mother, who is not your brother and is not your sister?’

The minister thinks and thinks and does not know the answer. “I will have to think about it further. Please tell Prime Minister Sahab that I will let him know tomorrow?” “Of Course,”, says the Cabinet Secretary, “You’ve got twenty-four hours.” The minister goes away, thinks as hard as he can, calls in his chief secretaries and joint secretaries, but no one knows the answer. Twenty hours later, the minister is very worried because he still had no answer and only four hours were left.

Eventually, the minister says to himself: “I will ask Benazir. She is clever, she will know the answer.” He calls Benazir. “Mohtarma”, he says, “tell me who is the child of your father and of your mother, who is not your brother and is not your sister?”

“Very simple”, says Benazir, “It’s me!”

“Of course,”, exclaims the minister and rings up the Cabinet Secretary.

“I’ve got the answer: it’s Benazir Bhutto.”

“No, minister Sahab”, says the Cabinet Secretary, “you will lose your job if you give this wrong answer. The right answer is: Advani!”

# Your Best Ways to Beat Belly Fat

Medically Reviewed by Jabeen Begum, MD (Courtesy: WebMD)

**Get More Fiber:** You do not have to eat a bag of Grandma's prunes to get your fiber. Leafy greens, whole grains, nuts, and beans are all good for keeping away the fat that stays deep in your belly, or visceral fat, and it is the most dangerous kind because it can wrap around major organs, including your liver, pancreas, and kidneys.

**Forget These Two Things:** There are no "super foods" that burn off visceral fat. And you cannot tone it away with specific moves like crunches. Instead, look for ways to upgrade your eating habits and add activity every day. Think about your average week. Where might you be able to make some changes?

**The Best Thing You Can Do:** While anyone can have too much visceral fat, it is more likely if you have got a lot of weight to lose. As you start to take those pounds off, it will help your whole body, including belly fat that is hidden out of your sight.

**Be Choosy About Fat:** You can still have some! But limit the "saturated" kind that is in animal foods, coconut and palm oils, and full-fat dairy. Keep the portions of those foods smaller than you might normally do, for instance. And check nutrition labels to see how many calories and how much fat is in a serving. Look for fats that are better for you, too, like those from plant foods or fish such as salmon, tuna, and mackerel that are rich in omega-3s.

**Stop Trying to Outrun It:** Still trying to "burn off" that belly fat by pounding the pavement for hour upon hour? Research shows that a few quick bursts of high-intensity exercise -- such as a 30-second sprint or intense pullup set -- may be more effective, and easier to fit into your schedule. You can add bursts of higher intensity to any workout. Just speed up or work harder for a brief time, then drop back to a more mellow pace, and repeat.

**Sleep: the Goldilocks Formula:** When it comes to weight gain, shut-eye is a bit like porridge: Too little -- less than 5 hours -- may mean more belly fat. But too much -- more than 8 hours -- can do that, too. "Just right" seems to be around 6-8 hours. If you do not sleep that much now, or if you tend to toss and turn, try to go to bed a little earlier, relax before bedtime, keep your bedroom cool, and try not to text and email right before you turn in.

**Forget a 'Quick Fix':** Sorry, but cosmetic

surgery is not the solution here. Liposuction does not reach inside the abdominal wall. So, it cannot get rid of visceral belly fat. Likewise, crash diets are not the solution, either. You are too likely to go off them. The slower, steadier option -- lifestyle changes that you can commit to for a long time -- really is the best bet.

**Keep Calm:** Are you stressed out? That can make you eat more fat and sugar, and unleash the "stress hormone" cortisol, which can boost belly fat. Stress also can make you sleep less, exercise less, and drink more alcohol -- which can add belly fat, too. It is a great reason to take up meditation, work out, listen to music you love, or find other healthy ways to unwind and relax.

**Rethink Your Drink:** Whether it is a latte, a regular soda, a mug of beer, or a glass of wine, it has calories. And when you are trying to unwind the numbers on the scale, water (or a smaller glass of your favorite beverage) might be a better choice. If you drink alcohol, remember that it just might make you throw your willpower out the window when you order your meal, too.

**Do not Smoke:** As if you need another reason to quit. Smoking makes you more likely to store fat in your belly, rather than your hips and thighs. And that is bad. Oh, and it is also a cause of diabetes. And cancer. And heart disease. And lung disease. And ... you get the idea. If you have tried before, try again. Tell your doctor, so you can get pointers on what might help you quit for good.

**Do not Rely on Clothing Sizes:** One company's size 14 could be another's size 12. A better method is to measure your waist. If you are a woman, you want that number to be 35 inches or less. Men get up to 40 inches. The reason? You may lower your chance of having a heart attack, a stroke, or possibly certain types of cancer. A tape measure cannot check on visceral fat, but along with the scale, it can surely help you track your weight loss.

**Lift Weights:** Think about hitting the gym instead of the trail. In one study, healthy middle-aged men who did 20 minutes of daily weight training gained less abdominal fat than men who spent the same time doing aerobic exercises, such as biking. Strength training is also good for women -- and it will not make you bulky. You still need to do some cardio, but make sure strength training is in the mix.

Opinions expressed by the man in this house should no be confused with those held by his spouse.  
– Susan D. Anderson

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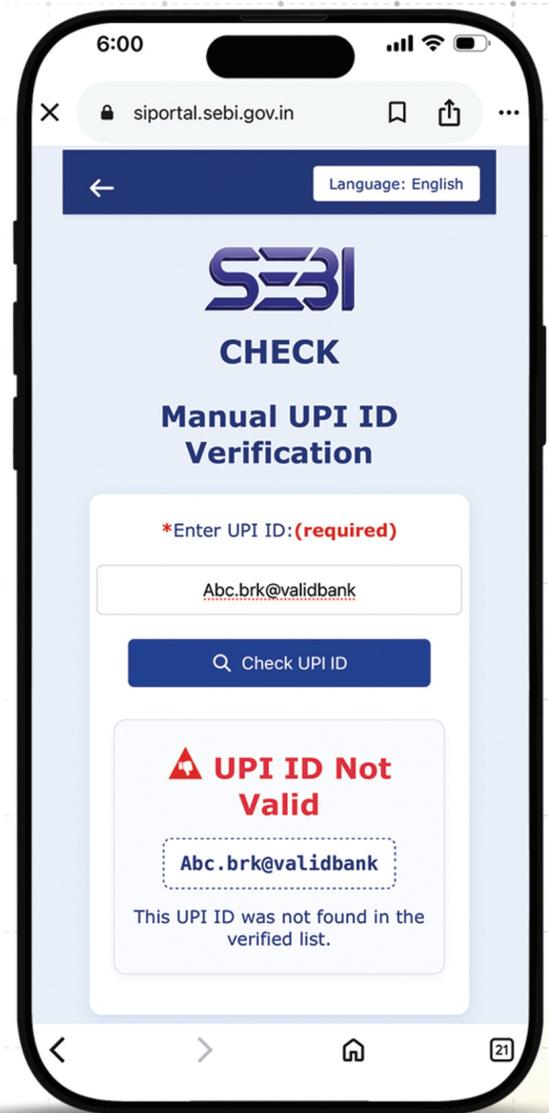
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